

MINUTES

City Council

Tuesday, January 20, 2009 - 7:00 p.m.

Members Present: Mayor Pro Tem Tennyson Holder presided. **Council Members Present:** Gwyn Hall, Bowen Jones, Bessie Kicklighter, Judy Shuman, and Misty Selph

Members Absent: Mayor Andy Quinney and Councilmember Durward Motes

Staff Present: Brian Johnson, City Administrator; James P. Gerard, City Attorney; Pam Franklin, HR Director; Nathan Mai-Lombardo, Planning Director; Cliff Ducey, Recreation Director; Charles Draeger, Water/Sewer Director; David Lyons, Chief of Police; Jimmy Crosby, Fire Chief; Clara Rouse, Finance Director; and, Randall Griffin, Public Works Director

Staff Absent: Rhonda Ferrell Bowles, City Clerk.

Visitors: See attached sign-in sheet.

Opening: Mayor Pro Tem Tennyson Holder welcomed everyone to the meeting. Councilmember Member Gwyn Hall offered the opening prayer. The Mayor Pro Tem then led City Council in the pledge to the flag. He then announced that the Council had held a pre-agenda session prior to the Council Meeting for the purpose of discussing the agenda items tonight. No decisions were made at the session the purpose of which is to make sure that everyone is well prepared and "on the same page."

Presentation: Chief David Lyons presented Capt. Ballard of the Garden City Police Department with a Purple Heart for serious injuries the captain sustained in July 2008 when a car ran through a roadside safety checkpoint on Highway 80. The purpose of the road check was to catch drivers in violation of traffic rules such as being under the influence of alcohol or and being without insurance, registration, or seat belts. Capt. Ballard is very fortunate to be alive today and the City wanted to deeply thank the captain for all of the courage and valor he showed in connection with the incident.

Public Hearings:

(1) Telfair Road Closing.

The City is soliciting public comment on a request made by Savannah Christian School and Bill Grainger of Grainger Honda to close the portion of Telfair Road running southwestward from a point approximately 200 yards southwest from its intersection with Telfair Place to a point at its intersection with Chatham Parkway. Bill Grainger or one of his businesses and Slade Cole own property on either side of the portion of the road in question. The request is generated by concern over the heavy truck traffic (composed of mostly 18-wheelers) which is traveling down Telfair Road and making a lefthand turn onto Chatham Parkway by Savannah Christian at an unlighted intersection. Compounding this problem are cars which are heading northeast into the City via a bridge off of Interstate 16 which have a difficult time seeing the trucks until it may be too late to avoid hitting them. The proposed closure would force traffic traveling southwest on Telfair Road to turn onto Telfair Place which comes out onto Chatham Parkway at a better intersection. Prior to receiving the closure request from the school and Grainger, the City did not feel that the Telfair Road/Chatham Parkway intersection generated a safety concern sufficient enough to justify the closure of the road segment in question. The Mayor and Council simply want comment on whether and how they should proceed on the issue.

Mayor Pro Tem Holder then received the following public comments:

- * Don Bethune stated that while the closure does not directly affect him, it does somewhat indirectly as he visits a lot of the businesses in that area. He wanted to know if a traffic study had been done for the intersection and if there has been an abnormally high number of accidents or fatalities at the intersection. He also inquired as to whether all of the businesses in the area had been notified about the closure request. He stated that if the City closes the portion of Telfair Road at issue, many businesses located on Telfair Road may be difficult to reach. He added that by closing the Telfair Road/Chatham Parkway intersection, the City would be moving the traffic flow to another intersection that may not be capable of handling the new volume. He also commented that during school hours, he has had the opportunity to travel by the intersection where school crossing guards are doing an excellent job of directing traffic and maintaining safe conditions. Not recalling any accidents ever occurring at the intersection, he questioned the legitimacy of any safety concerns about the intersection.

The City Administrator reminded Mr. Bethune that since the City is simply receiving public comment on a request made by private parties for the road closure, it has not taken any further action such as performing traffic studies and satisfying all of the legal prerequisites to road closures until such comment is received and considered at future City Council workshops which will be advertised to the public. He added that only two businesses on Telfair Road would be directly affected by the closure, both being about halfway between the segment of Telfair Road proposed for closure and the Telfair Road/Telfair Place intersection. Traffic leaving those businesses could reach Chatham Parkway by traveling northeastward approximately 100 yards on Telfair Road to reach Telfair Place which then runs into the Parkway. Mr. Johnson indicated that the owners of both businesses had been contacted for comment on the road closure proposal, and that neither had an objection. He also indicated that if the closure was ultimately effected, the City would have to place a traffic signal at the Telfair Place/Chatham Parkway intersection where traffic which otherwise would be using Telfair Road to reach the Parkway would be channeled. He said that if the Telfair Road/Chatham Parkway intersection remains open, a traffic signal may, depending upon the results of traffic studies, be placed there.

Councilmember Selph asked if anyone from Savannah Christian School was present at the meeting to speak on the issue. Even though no one from the School was present, Mr. Johnson indicated that he had talked about the issue with school officials who thought that the proposed closure would perhaps alleviate the need to have a Garden City police officer direct traffic at the beginning and end of each school day at the intersection.

- * Kim Kersey questioned the reasoning behind the road closure request (to prevent the truck traffic from turning left onto Chatham Parkway when coming off of Telfair Road) by noting that no-left hand turns off of Telfair Road onto the Parkway are allowed during school hours.
- * Ronnie Edward asked about the possibility of simply placing a weight limit on vehicles traveling the segment of Telfair Road proposed for closure. The City Administrator said that weight limits could be a good alternative to actually closing the curbcut.

There being no further public comment, Mayor Pro Tem Holder closed the public hearing.

(2) Nelson Avenue Railroad Crossing Closing.

At the commencement of the public hearing, the City Administrator introduced representatives of CSX Railroad to provide the basis for the railroad's request to close the segment of Nelson Avenue running between Bishop Avenue and Main Street whereon its crossing is located. Craig Camuso, Vice President of Public Affairs for CSX, introduced Malcolm Hine, the CSX Director of Public Safety, who stated that the proposed road closure was due to safety concerns and as part of the goal set by the Federal Railroad Administration to reduce crossings nationwide by twenty-five (25%) percent. He said whatever minor detours would come about by reason of the closure would be far outweighed by enhanced safety to the Garden City community and CSX employees, decreased whistle blowing and the financial incentives which CSX would be providing to the City for the closing. Rob Gerrardo, Director of Network Development, indicated that the closure would facilitate rail traffic running between the Port and Highway 21 and would allow the railroad to carry more containers at any one time, thereby reducing the number of trucks hauling containers over the City's roads. Mr. Camusa recognized that if the closing was ever approved, CSX would provide the City whatever assistance is necessary to redesign the hairpin turn at the intersection of Pipkin Avenue, Bishop Avenue and Main Street, which would be used for traffic running between Main Street and Nelson Avenue.

As in the case of the proposed Telfair Road closure, City Administrator Johnson said that the City had not yet conducted any traffic studies on the proposal, but did have one safety concern about the Nelson Avenue crossing. He indicated that the police department has been seeing that drivers traveling North on Main Street and seeing a train coming from the Ports and already blocking traffic (or about to block traffic) further ahead at the Main Street crossing will race up Main Street (sometimes in the southbound lane) and then turn and race up Nelson in order to beat the train before the railroad cars reach the Nelson Avenue train crossing. He emphasized that these few incidents alone do not justify closing the segment of Nelson Avenue in question, but that they should be considered together with the comments of the railroad and the public when deciding what action, if any, should be taken on CSX's closure request.

Before taking public comment, Councilmember Kicklighter inquired into whether the City had a say in whether or not the crossing will be closed. Mr. Camuso indicated that since the segment of Nelson Avenue at issue is a public road, the railroad did not have authority to close the right-of-way on its own and that, as a result, it would have to maintain a crossing there.

Some of the public comments that followed were as follows:

- * Judy Roundtree, Director of the Senior Citizens Center, said that the Nelson Avenue/Main Street intersection is an integral part of the route customarily used by senior citizens to get onto Highway 21 from their homes and from the Center: they travel northeastward down Russell Avenue until it runs into Nelson; then they take Nelson to Main Street where they turn right at a stop sign and proceed until reaching the light at Brampton where they proceed southwestward to Highway 21 where they can turn onto the highway at a lighted signal. Without the Nelson Avenue/Main Street intersection, the seniors would have to come down Rommel Avenue and turn right at its intersection with Main Street where the visibility onto Main Street is not as good as at the other intersection.
- * Ronnie Edwards questioned Mr. Camuso about CSX's plans to re-engineer the Main Street Crossing. The CSX representative indicated that by rehabilitating the railroad lines going into the Port, not as much track switching would be necessary and the trains could transport more cars over the road at one time without risking the possibility of an excessive road blockage. He said that without the Nelson Avenue/Main Street Crossing, a conductor of a train crossing Highway 21 headed for the Port would not have to slow the train down as early as he presently does in fear that a motorist will be racing across Nelson Avenue at a crossing which presently has no gates. Councilmember Selph questioned the logic behind such a statement in that the conductor would have to slow down the train in any event for the Main Street crossing less than 500 feet away. The CSX representative could not give any specifics as to how the railroad would help the City re-engineer the Main Street crossing other than to say that attempts would be made to make more negotiable a lefthand turn onto Bishop Avenue from the northbound lane of traffic on Main Street, and a righthand turn onto Main Street from the northeastern lane of traffic on Bishop Avenue. The City Administrator indicated that if the closing of the road segment was to be seriously considered, specifics about changing the intersection would be discussed.
- * Kim Kersey stated that if safety is a concern, the railroad should construct a flyover into the Port so that no trains have to cross Main Street or Nelson Avenue.

- * Jane Oglesby stated that the real reason behind CSX's request for closing the portion of Nelson Avenue in question is the railroad's desire to build a holding rail yard on Bishop Avenue. She has never heard of an accident occurring at the Nelson crossing. She agreed with the need for a flyover because of the serious problem posed by trains blocking traffic.
- * Barbara Gunn, who lives at the corner of Rommel and Pipkin Avenues, stated that when a train blocks Main Street, cars speed up Rommel in order to avoid it. She asked for the police to control such speeding.
- * Lawrence Harris stated that he was not familiar with any accidents involving trains at the Nelson Avenue crossing, and wants the segment of Nelson Avenue at issue to remain open.
- * Stan Lancaster voiced his frustration about trains blocking roads all over the City and agrees that something needs to be done. He thought that closing Nelson Avenue would only aggravate the problem.
- * Sonny Gunn said that he did not see any reason for CSX to block Nelson Avenue. He thinks the problem is with Norfolk Southern which sometimes drags 150 to 200 cars through the City, closing almost every major thoroughfare in the City at the same time.
- * Don Bethune indicated that closing the segment of Nelson Avenue at issue would cause more traffic delays for him in that it would prevent him from getting to his house on Bishop Avenue from Main Street when a train is running on tracks parallel to Pipkin Avenue and the Main Street crossing is blocked.
- * Dean Kicklighter, Chairman Pro Tem and District 7 Representative for the Chatham County Board of Commissioners, remarked that the whole crossing closure proposal is about making money. Trains used to be shorter; now they are incredibly longer because of the need to carry more and make more revenue. He observed that despite the Port's tremendous expansion and the railroad's financial success, there has been no financial commitment from those agencies to improving Garden City's infrastructure. He stated that since he was Mayor of the City, there has been no progress made in clearing blocked crossings for police and emergency crews. He stated that the State should provide just as

much funding to the City for getting trains and trucks in and out of the City faster as it gives to the Port to get ships in and out of its terminal facilities faster. He also called for a railroad flyover to alleviate road blockages and offered his assistance in making it happen.

In closing, Mr. Camuso stated that CSX would be willing to work with the State for the funding of an overpass. He also said that upon receiving notice from the City, the railroad would be happy to patch any potholes in and around its crossings. He also pointed to CSX's rehabilitation of its Highway 21 crossing which is part of a \$1.5 million project as evidence of its commitment to invest money in the City to effect railroad safety. After forty-five minutes of discussion, the Mayor Pro Tem closed the hearing at which time the CSX representatives again thanked the City and pledged future cooperation to try to resolve the issues raised during the hearing.

- (3) PC091, Zoning Map Amendment. Public comment was then received on a request of Larry Nikola, representing property owner Memorial Properties-Hillcrest Abbey West to rezone 1320 Dean Forest Road from R-1 to P-C-2 for the purpose of operating a funeral home and related pet cemetery, a human and animal crematorium, gardens, and parking areas with access to the existing funeral home and cemetery of Hillcrest Abbey West. The City Administrator reported that the City's Planning Commission had recommended approval of the request at the Commission's January 15, 2009, meeting. A representative of Land Plan Design Group from Brunswick, Georgia, appeared at the hearing for Mr. Nikola, and announced that a site plan has yet to be prepared for the development. He stated that his company is still in the process of understanding the City's new comprehensive plan; is aware of the widening of Dean Forest Road and the streetscape requirements for it; and is familiar with the requirements of the City's new landscape ordinance. He stated that he would be in attendance at City Council's next workshop in order to answer any questions which Councilmembers may have about the proposed land uses and their compatibility with the City's comprehensive plan.

Members of the public addressing the re-zoning application were James Osteen who recommended that an archeologist look into the possibility of artifacts being located on the property, and Commissioner Dean Kicklighter who wanted to remind Council of the need to stick to the City's original plan of placing residential homes at the seven acre site (with 200 feet of frontage on Dean Forest Road) sought now to be re-zoned.

There being no further comments, Mayor Pro Tem Holder closed the hearing.

- (4) Alcoholic Beverage License Manager Application. Council then received public comment on an alcoholic beverage license manager's application for Jeresia Steade to sell beer and malt beverages at El Taco Loco Mexican restaurant at 1550-F Dean Forest Road. The restaurant is currently licensed to sell beer and malt beverages. The purpose of the application is to obtain approval for a new restaurant manager. After reviewing and researching the applicant's application, the police department has recommended the approval thereof.

The only member from the public to talk on the application was Ozzie Rollinger of 1431 Dean Forest Road who had a problem with giving a liquor license to one more person on Dean Forest Road which, according to Mr. Rollinger, already has enough establishments selling liquor. Chief Lyons responded to the comment by informing Mr. Rollinger that the restaurant in question is already selling beer and malt beverages and that the application being considered is one for the substitution of one restaurant manager for another. The operation will still be limited to selling just beer and malt beverages.

There being no further comments, the public hearing was closed.

- (5) Amendment to Garden City Charter.

The City Administrator stated that the currently proposed amendments to the City Charter being considered by the State General Assembly in the form of a local bill stem from the results of a state mandated public referendum at the last election when the citizens chose to have voting districts. The Council used the implementation of districting as an opportunity to increase the efficiency and effectiveness of city government by changing the form of government to a Council-Manager model. According to Mr. Johnson, the amendments involve adjusting the number of seats in the voting body and changing how reporting is handled within the City. He stated that the amendments, in short, will increase the government's responsiveness to the citizens of Garden City.

Commenting on the charter amendments was Jimmy Osteen who stated that the citizens of Garden City need to be better educated on the difference between a Council-Manager and a Mayor-City Administrator type of government. He personally has no objections to the amendments, but just thinks that citizens will be confused about what the changes really mean.

Councilmember Kicklighter responded to Mr. Osteen's comments by stating that under the current City Charter, the City Administrator answers to only the Mayor and does not have to act upon the requests and directions of Councilmembers. According to Councilmember Kicklighter, the Mayor could presently fire the City Administrator on his own against the will of the majority of Councilmembers. If

the currently proposed amendments to the Charter are passed, the City Manager will have to answer to both the Councilmembers and the Mayor who be on equal footing. According to Councilmember Kicklighter, by giving the Councilmembers more power, the charter amendments will give the citizens more power in that each of the Councilmembers will have the ability to act upon their concerns.

Councilmember Selph stated that a City Manager brings a higher level of professionalism to the operation of the City than a City Administrator does. The National Association of City Managers has a comprehensive list of criteria for hiring a City Manager which is incorporated into the currently proposed charter amendments.

City Administrator Johnson stated that when he was hired as the City's City Administrator, he was told that efforts would be put forth to change the form of government to a Council-Manager model. Even though he is required under the current Charter to respond only to the Mayor, he has tried, with the Mayor's blessing, to keep all eight members of the governing body equally informed. When the City was instructed to implement districting into its Charter, the Mayor and Council thought that it would be a good time to change the Charter to reflect the way they have been actually operating, to wit, a Council-Manager form of government. The City Administrator stated that if the charter amendments are passed, each of the members of Council, including the Mayor, will have equal voting power. All decisions will be made by a majority vote, and not by one person. He added that the charter amendments will be relinquishing from the Mayor's authority certain administrative duties, such as the hiring and firing of City employees, to the City Manager. In sum, he stated that the Council-Manager form of government is the most prevalent in our country; is the fastest growing form of government; and is the form of government which is endorsed by the International City and County Managers Association.

Mr. Osteen thanked the City Administrator and Councilmembers for giving him an education on the Council-Manager form of government, but thought that the Council should have given such a education to the public before now.

Ozzie Rollinger of 1431 Dean Forest Road, stated that the City should have distributed the proposed charter amendments to the public prior to the public hearing so that citizens would be better prepared to talk about the changes tonight. He indicated that there were changes set forth in the charter revision which he did not like. He felt that if the City was going to change its form of government so drastically, the people need to be made aware of the full impact. He noted that one of the changes about which he was concerned was the paying of a salary to Councilmembers. City Administrator Johnson explained that the payment is in the form of a stipend of \$300.00 per month and not a salary. He said that the basis

for the stipend is (1) to make sure that Councilmembers are compensated for the inordinate amount of time which is required to govern properly (e.g., attending meetings, reading materials at home, responding to citizen inquiries, etc.), and (2) to lure a potential Councilmember to run for office who would otherwise not run because of the office taking him away from revenue generating activities. Mr. Rollinger remarked that paying the stipend goes against the volunteerism principles which the Mayor has espoused. In short, he stated that the citizens should be informed of what the proposed changes to the Charter are, and then they need to vote on them. When Councilmember Selph reminded Mr. Rollinger that the public had already approved the districting, Mr. Rollinger argued that much in the charter revision did not have anything to do with districting.

Dean Kicklighter, a former Garden City Mayor who now works under a Council-Manager form of government in Chatham County, commented on Garden City's history of having a strong Mayor form of government. He remembered the enormous amount of power which he possessed as the City's Mayor, and saw the potential for such power being abused if in the wrong hands. When Mr. Rollinger asked whether there should be a concern about giving so much power to a City Manager, Mr. Johnson pointed out to him that the City Manager can be fired at anytime by a majority of Councilmembers for any reason. Mr. Kicklighter continued his remarks by stating that under a Council-Manager form of government, the Mayor, together with the other Councilmembers, will be held accountable to everyone in the City with regard to whatever decisions they make. Hearing the benefits of having a Council-Manager form of government, Mr. Rollinger still thought that the charter amendments should be voted upon by the citizens of Garden City.

State Representative Bob Bryant said that he supports the charter revisions. He stated that he sat nine years on Council in Garden City during which time there were Mayors who treated him as if he did not exist. He would rather have a majority rule as opposed to one.

Councilmember Gwyn Hall commented that whereas Brian Johnson is a superb city administrator who the City would like to keep for the rest of his career, there will a time in the future when Mr. Johnson will leave the City at which time it would be hard to attract a replacement to a city administrator's position as opposed to a city manager's position. He also wanted to point out to Mr. Rollinger that under the charter revisions, a councilmember has the option of not getting paid a stipend or accepting it and donating the money to a charity.

There being no further comments on the charter revisions, the Mayor Pro Tem closed the public hearing.

Council Minutes:

Upon a motion being made by Councilmember Jones , and seconded by Councilmember Hall, City Council voted unanimously to approve the minutes from the January 5, 2009, meeting of Council.

Planning & Zoning Committee Report:

Councilmember Gwyn Hall said his committee had nothing to report at this time.

Personnel, Finance & Administration Committee Report:

Councilmember Judy Shuman stated that the Parks and Recreation Department had just filled a maintenance crew leader position through a promotion within the Department. She also stated that the Fire Department had just begun interviewing for a number of openings. She further announced that the City is accepting applications for Water and Wastewater Technician 1 through January 23, 2009, and that details are posted on the City's website. She also recognized the completion by Public Works Director Randall Griffin of certain stormwater management training. Finally, she announced that the Human Resource Department would be sponsoring a lunch and learn seminar on personal finance and budgeting on Tuesday, January 27, and Thursday, January 29, from noon to 1 p.m. The seminar will be open to all city employees, and attendance will be voluntary.

Parks & Recreation Committee Report:

Councilmember Misty Selph reported that there would be 10 basketball teams representing Garden City this year. She also reported that the Department is currently taking open registration for the gymnastics program for ages 4 and up, and that citizens can contact the Recreation Department at 966-7788 to sign up.

Fire Committee Report:

Upon a motion being made by Councilmember Kicklighter and seconded by Councilmember Jones, the Council unanimously approved on first reading an ordinance which (1) prohibits posts, fences, vehicles, growth, trash, and other materials from being placed or kept near fire hydrants, fire department inlet connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible, and (2) requires that a three foot clear space be maintained around the circumference of fire hydrants except as otherwise required or approved. Upon a motion being made by Councilmember Kicklighter and seconded by Councilmember Selph, Council unanimously voted to suspend the rules of Council for the purpose of having a second reading of the proposed ordinance. Upon a motion being made by Councilmember Kicklighter and seconded by Councilmember Jones, the Council unanimously approved the ordinance on the second reading.

In the absence of Committee Chairman Durward Motes who is recovering from having kidney stones, Committee Kicklighter announced that there was nothing to report from the Committee at this time.

Police Committee Report:

Upon a motion being made by Councilmember Kicklighter and seconded by Councilmember Selph, Council unanimously approved the alcoholic beverage license manager application for Jeresia Steade to sell beer and/or malt beverages at El Taco Loco Mexican Restaurant at 1150-F Dean Forest Road.

Even though Committee Chairman Kicklighter did not have a Committee report to give, she did want to introduce Police Chief David Lyons for the purpose of speaking on the anti-cockfighting bill which he is responsible for introducing into the Georgia General Assembly for approval at the upcoming legislative session. The Chief stated that during a recent incident involving roosters in the City, he realized that there is no statute in Georgia actually outlawing cockfighting. He stated that even though there is an animal cruelty law which could possibly apply to the owners of the roosters who are doing the fighting, there is nothing on the books to hold people accountable for staging, participating in, or attending a cockfight. He therefore got the City Attorney to draft a statute specifically outlawing cockfighting activities, and contacted our state legislative representatives about introducing the bill into the General Assembly. The bill has been well received, having been endorsed by both the United States Humane Society and the Georgia Humane Society. He said that a similar bill had failed to pass a few years ago, and state legislators are now anxious to pass it.

Councilmember Kicklighter also wanted to recognize the Mayor, Councilmember Hall and Officer Green for representing the City in the Martin Luther King parade.

Public Works Committee Report:

Committee Chairman Holder reported that between January 5 and January 15, 2009, the City had picked up 22 tons of dry trash and leaves, and that a total of more than 50 tons would be probably be picked up, at the City's great expense, before the end of the month. He had nothing else to report from his Committee.

Water & Sewer Committee Report:

Committee Chairman Jones had nothing to report from his Committee.

City Administrator Report:

- (1) Second reading of Stormwater Rate Ordinance.

The City Administrator reported that on Friday, January 16, which was the last day for public input on the proposed Stormwater Rate Ordinance, certain objections were made to the ordinance by local attorney Phil McCorkle who represents a number of Garden City business owners. He recommended that the second reading of the ordinance be tabled until the February 2, 2009, Council meeting so as to allow him and the City's stormwater consultant, Ecological Solutions, an opportunity to review and satisfactorily address the attorney's concerns. He also recommended that the tabling include Council's consideration of (a) the resolution which Council was to have considered for setting up the budget for the new Stormwater Utility Enterprise Fund for FY09 and (b) the resolution which Council was to have considered for amending the FY09 General Operating Fund to adjust for the differences between the originally budgeted and presently projected revenues and expenditures for certain of the City's various budgets. Upon a motion being made by Councilmember Jones and seconded by Councilmember Kicklighter, the Council unanimously voted to table the above-mentioned matters until the February 2, 2008, Council meeting.

(2) Resolution endorsing Charter Amendment.

The City Administrator submitted for Council's consideration a resolution endorsing the final draft of the proposed Charter Amendment which provides for council districts pursuant to State Districting Plan "gc08p5"; provides for a Council-Manager form of government; and provides for compensation for Councilmembers. The resolution will be submitted with the Charter Amendment itself to the General Assembly which must vote on the Amendment as a local bill.

A motion was made by Councilmember Kicklighter and seconded by Councilmember Hall to approve the resolution. A motion was then made by Councilmember Jones and seconded by Councilmember Selph to amend the draft of the Charter Amendment for the purpose of deleting the provisions contained therein providing for compensation to Councilmembers (Article II, Section 2.04(a)). The motion to amend the draft was voted down, (2 affirmative votes and 3 negative votes), with Councilmembers Jones and Selph voting in favor of it. The main motion to approve the resolution passed unanimously.

(3) Resolution Establishing Qualifying Fee.

The City Administrator recommended approval of a resolution fixing a qualifying fee of \$25.00 for candidates running for the office of Councilmember in the upcoming election. Upon a motion being made by Councilmember Shuman and seconded by Councilmember Selph, the resolution was approved unanimously.

(4) Election Resolution.

The City Administrator also recommended approval of a resolution reappointing the Chatham County Board of Elections to perform the duties of the municipal superintendent of

elections for the upcoming election except for the duty of qualifying candidates which shall remain the responsibility of the Clerk of Council. The resolution also provides that the duty of handling absentee ballots shall be handled by the Chatham County Board of Registrars. Upon motion being made by Councilmember Kicklighter and seconded by Councilmember Hall, the resolution was approved unanimously.

(5) Resolution for Public Sale of Real Property and the Holding of a Public Hearing Relating to the Construction of the new City Hall.

The City Administrator informed that state law requires Council to pass a resolution (a) authorizing the sale on February 6, 2009, at 12:00 p.m., of the new City Hall to the highest bidder (probably the Georgia Municipal Association) who will be agreeable to selling the property back to the City upon installment terms agreeable to the City, and (b) authorizing him to hold a public hearing at 11 a.m. on February 6, 2009, in connection with the Georgia Municipal Association's proposed financing of the City's repurchase of the property. The resolution sets out the terms of the sale and authorizes the Mayor, Mayor Pro Tem, the City Administrator, and the City Attorney to do all such acts and things and to execute all such documents as may be necessary to carry out the transactions. Upon a motion being made by Councilmember Kicklighter and seconded by Councilmember Selph, the resolution providing for same in the Council packet was approved unanimously.

(6) Resolution Accepting Proposal for Financing the Construction of a New City Hall.

The City Administrator called upon Council to pass a resolution selecting the best bid amongst the bank proposals which had been submitted in response to the City's request for proposals with respect to the financing of the construction of the new City Hall. Upon a motion being made by Councilmember Selph to accept the proposal of Branch Banking and Trust Company as the best proposal with the lowest interest cost, and seconded by Councilmember Kicklighter, the resolution was approved unanimously.

City Attorney's Report:

City Attorney Jim Gerard said he had no report to give.

Mayor's Report:

Mayor Pro Tem said he had not report to give.

Adjournment: Upon motion being made and seconded, the Council voted unanimously to adjourn the Council meeting at 9:10 p.m.

Andy Quinney, Mayor

Tennyson Holder, Mayor Pro Tem

Bessie Kicklighter, Councilmember

Bowen Jones, Councilmember

Judy Shuman, Councilmember

Durward Motes, Councilmember

Misty Selph, Councilmember

Gwyn Hall, Councilmember